

# United States District Court

FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

VENUE: SAN FRANCISCO

**FILED**  
AUG 7 2008  
RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

v.

**E-filing**

JONATHAN CRUZ-RAMIREZ  
a/k/a "Soldado"

**JSW**

**CR 08**

**0531**

DEFENDANT(S).

## INDICTMENT

18 U.S.C. § 922(g)(5) - Illegal Alien in Possession of Firearm;

8 U.S.C. §1326 - Illegal Reentry

*Indict*  
A true bill.

*Jim Varla*  
Foreman

Filed in open court this 7 day of AUGUST  
2008

Clerk

*Renard*  
Bail, \$ No process

*CR 08-531 JSW*

AO 257 (Rev. 6/78)

**DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT**
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT  
☐ SUPERSEDING
**OFFENSE CHARGED**

Ct. 1 -- 18 USC 922(g)(5) (illegal alien in possession of firearm)

Ct. 2 -- 8 USC 1326 (illegal re-entry)

☐ Petty  
☐ Minor  
☐ Misdemeanor  
☒ Felony
**PENALTY:**

Ct. 1 -- 10 years' imprisonment; 3 years' SR; fine -- greatest of \$250k or 3x gain/loss; \$100 SA

Ct. 2 -- 2 years' imprisonment; 1 years' SR; fine -- greatest of \$250k or 3x gain/loss; \$100 SA

**PROCEEDING**

Name of Complainant Agency, or Person (&amp; Title, if any)

Ben Horton, Special Agent, Immigration and Customs Enforcement

☐ person is awaiting trial in another Federal or State Court, give name of court☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21 or 40. Show District☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:☐ U.S. Att'y ☐ Defense☐ this prosecution relates to a pending case involving this same defendant☒ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded underSHOW  
DOCKET NO.MAGISTRATE  
CASE NO.

08 Mag 70476

Name and Office of Person  
Furnishing Information on  
THIS FORM

Joseph P. Russoniello

☒ U.S. Att'y ☐ Other U.S. AgencyName of Asst. U.S. Att'y  
(if assigned)

W.S. Wilson Leung

Name of District Court, and/or Judge/Magistrate Location  
NORTHERN DISTRICT OF CALIFORNIA**DEFENDANT - U.S.**

JONATHAN CRUZ-RAMIREZ

DISTRICT COURT NUMBER

**CR 08****0531****DEFENDANT****IS NOT IN CUSTODY**

- 1) ☐ Has not been arrested, pending outcome this proceeding. If not detained give date any prior summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

**IS IN CUSTODY**

- 4) ☒ On this charge
- 5) ☐ On another conviction
- 6) ☐ Awaiting trial on other charges

☐ Fed'l ☐ State

If answer to (6) is "Yes", show name of institution

Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

**DATE OF ARREST**

Month/Day/Year

7/25/2008

Or... if Arresting Agency &amp; Warrant were not

**DATE TRANSFERRED TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**☐ SUMMONS ☒ NO PROCESS\*☐ WARRANT Bail Amount:

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

\*Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

JOSEPH P. RUSSONIELLO (CABN 44332)  
United States Attorney

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AUG = 7 2008  
RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

**E-filing**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

**JSW**

UNITED STATES OF AMERICA,

Criminal No.:

- v. -

VIOLATION: 18 U.S.C. § 922(g)(5) – Illegal  
Alien in Possession of Firearm; 8 U.S.C. §  
1326 -- Illegal Reentry

JONATHAN CRUZ-RAMIREZ,  
a/k/a "Soldado,"

SAN FRANCISCO VENUE

Defendant.

**INDICTMENT**

**COUNT ONE:**

(Illegal Alien in Possession of Firearm)

The Grand Jury charges:

On or about July 25, 2008, in the Northern District of California, the defendant,

JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"

then being an alien illegally and unlawfully in the United States, did unlawfully, willfully, and knowingly possess a firearm, to wit, a Makarov IJ-70 9x18 mm caliber handgun, serial number BB6854, manufactured in Russia and imported by Big Bear Arms of Dallas, Texas, in and affecting interstate commerce.

All in violation of Title 18, United States Code, Section 922(g)(5).

INDICTMENT

**COUNT TWO:**

(Illegal Re-Entry)

On or about July 25, 2008, in the Northern District of California, the defendant,  
JONATHAN CRUZ-RAMIREZ, a/k/a "Soldado,"  
an alien, having been previously excluded, deported, and removed from the United States, and  
having subsequently voluntarily returned to and remained in the United States, was found in the  
Northern District of California, the Attorney General of the United States and the Secretary for  
Homeland Security not having expressly consented to a re-application by the defendant for  
admission into the United States.

All in violation of Title 8, United States Code, Section 1326.


DATED:

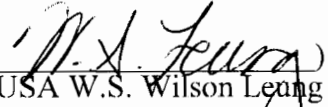
8-7-08

A TRUE BILL.

  
FOREPERSON

JOSEPH P. RUSSONIELLO  
United States Attorney

  
JAMES T. CHOU  
Chief, Organized Crime Strike Force

(Approved as to form: )

AUSA W.S. Wilson Leung